

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

23-80140-CR-ROSENBERG/REINHART

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR VAN VICKERY,
Defendant(s).

ORDER SETTING TRIAL DATE AND TRIAL PROCEDURES

This matter is set for a **criminal jury trial** before the Honorable Robin L. Rosenberg, United States District Judge, at United States District Court **701 Clematis Street, Courtroom 2 on the Fourth Floor, West Palm Beach, Florida**, during the two-week period commencing **Tuesday, October 10, 2023 at 9:00 a.m.**, or as soon thereafter as the case may be called. A **Status Conference/Calendar Call** will be held on **Wednesday, October 4, 2023 at 10:00 a.m.** at the United States District Court, **701 Clematis Street, Courtroom 1 on the Fourth Floor, West Palm Beach, Florida**.

Counsel who wish to appear via video conference shall inform the courtroom deputy no later than the Monday before the hearing. The courtroom deputy will email the video information to the parties. When joining the video conference be sure to:

- a. Use your full name as it appears on the docket.
 - b. Keep yourself Muted and Video Off until the case is called.
1. Motions for Continuance shall be filed on the **Friday prior to the Status Conference/Calendar Call**. The filing of a Motion for Continuance does not automatically excuse the parties from appearing at the Status Conference/Calendar Call. **Every Motion for Continuance must include specific grounds that would support a finding that a continuance serves the “interests of justice” as required by 18 U.S.C. §**

3161(h)(7).

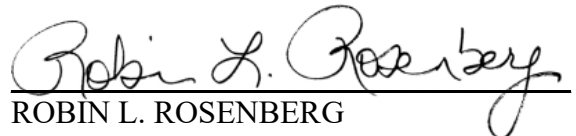
2. The following filings are due on the **day before Calendar Call by no later than 12:00 p.m. noon (on Tuesday if calendar call is scheduled to begin on Wednesday):**

- a. Voir Dire Questions: Counsel may conduct limited *voir dire* following the Court's questioning of the panel. If counsel wish for the Court to ask questions during its *voir dire* in addition to the Court's standard questions, counsel shall file their questions so that the Court may consider them in advance of Calendar Call.
- b. Statement of the Case: During *voire dire*, the Court will read this **joint** statement of the case to familiarize potential jurors with the subject matter of the case.
- c. Jury Instructions/Verdict Form: A single, joint set of proposed jury instructions, including those for substantive charges and defenses, and a proposed verdict form, shall also be filed.
 - i. To the extent proposed jury instructions are based upon the Eleventh Circuit pattern jury instructions, counsel shall indicate the appropriate Eleventh Circuit pattern jury instruction upon which their instruction is modeled. All other instructions shall include citations to relevant supporting case law.
 - ii. The parties need not agree on the proposed language of each instruction or question on the verdict form. Where the parties do agree on a proposed instruction or question, that instruction or question shall be set forth in Times New Roman 14 point typeface. Instructions and questions proposed only by the Government to which the Defendant(s) object shall be *italicized*. Instructions and questions proposed only by Defendant(s) to which Government objects shall be **bolded**. Counsel for the defendant may file under seal any proposed jury instructions that relate to the theory of the case.
 - iii. Each jury instruction shall be typed on a separate page and, except for Eleventh Circuit pattern instructions clearly identified as such, must be supported by citations to authority.
 - iv. The *voir dire questions* and the proposed jury instructions shall be submitted in Word format, by e-mailing them to

rosenberg@flsd.uscourts.gov.

3. Unless otherwise provided by separate order of the Court, counsel for the Government shall provide the Court and counsel for the defendant with the witness and exhibit lists on the **day of trial**. All exhibits to be offered into evidence **must be pre-labeled** in accordance with the exhibit list.
4. If the case will be resolved by a change of plea, counsel for the parties shall email the courtroom deputy, Melanie Richardson (rosenberg@flsd.uscourts.gov) immediately upon reaching such determination to set the matter for a change of plea.
5. To the extent the Court requests any other jointly filed or agreed-to documents, the parties need not agree on all of the proposed language: Where the parties do agree, that section of the document shall be typed in normal typeface. Language proposed only by the Government, to which the Defendant objects shall be *italicized*. Language proposed only by the Defendant, to which the Government objects shall be **bolded**.
6. Pursuant to the Court's CM/ECF Administrative Procedures, proposed orders shall be submitted to the Court by e-mail in Word format at rosenberg@flsd.uscourts.gov.

DONE AND ORDERED at West Palm Beach, Florida, this 21st, day of August, 2023.


ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE

Cc: Counsel of Record